

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELIX POWELL,

Defendant.

Case No. 18-CR-111-1-JPS

ORDER

On May 15, 2018, the grand jury returned an indictment charging Defendant with three counts of armed robbery in violation of 18 U.S.C. §§ 2, 924(c)(1)(A)(ii), 1951(a), 2315. (Docket #1). The parties filed a plea agreement indicating that Defendant agreed to plead guilty to Counts One and Two of the indictment. (Docket #21).

The parties appeared before Magistrate Judge Nancy Joseph on October 1, 2019 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #25). Defendant entered a plea of guilty as to Counts One and Two the indictment. (Docket #26 at 1). After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Judge Joseph determined that the guilty plea was knowing and voluntary, and that the offenses charged were supported by an independent factual basis containing each of the essential elements of the offenses. *Id.*

Magistrate Judge Joseph filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared; and (3) Defendant be


adjudicated guilty and have a sentence imposed accordingly. *Id.* Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. *Id.* at 1–2. To date, no party has filed such an objection. The Court has considered Magistrate Judge Joseph’s recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge Nancy Joseph’s Report and Recommendation (Docket #26) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 19th day of November, 2019.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge